

**CALIFORNIA TRANSPORTATION COMMISSION**  
**Adoption of Traffic Congestion Relief Program Policy**  
**For Managing Cash Between TCR Projects**

**RESOLUTION G-03- 14**

- 1.1 WHEREAS the Traffic Congestion Relief Act of 2000 (herein after referred to as "statute"), which was established by Chapters 91 (AB 2928) and 656 (SB 1662) of the Statutes of 2000, establishes the Traffic Congestion Relief (TCR) Program, providing \$5.39 billion for projects throughout the State of California to reduce traffic congestion, provide for safe and efficient movement of goods, and provide system connectivity; and
- 1.2 WHEREAS the California Transportation Commission (Commission) may from time to time adopt additional policies, in consultation with the Department of Transportation (Department) and representatives of regional and local agencies, to provide flexibility in the administration of the TCR Program; and
- 1.3 WHEREAS, due to TCR Program funding uncertainties, as well as similar uncertainties with State Transportation Improvement Program allocations for capital phases, a number of TCR projects with allocated TCR funds are being delayed or have become inactive, resulting in unexpended balances; and
- 1.4 WHEREAS, other agencies are still moving forward with their projects, but because of long lead times have unexpended TCR balances that are not needed immediately; and
- 1.5 WHEREAS, a number of projects that can be delivered are unable to proceed because TCR funds are currently not available for the Commission to make new allocations; and
- 1.6 WHEREAS, the Commission has an opportunity to manage the available TCR funds by permitting the shifting of available unexpended funds from one project to another due to changes in the overall cash flow projections.
- 1.7 WHEREAS, the Commission must decide whether to allow a lead agency or agencies to shift existing allocations from one project to another so that the recipient lead agency can proceed with a phase or project that can be more readily delivered in a severely constrained fiscal environment.
- 2.1 NOW THEREFORE BE IT RESOLVED the Commission does hereby adopt the Traffic Congestion Relief Program Policy for Managing Cash Between TCR Projects, and

2.2 BE IT FURTHER RESOLVED that before a lead agency can request shifting an existing allocation, it must:

1. Obtain agreement, if more than one lead agency is involved, among the lead agencies to permit the funds to be shifted.
2. Obtain concurrence from the implementing agency, as appropriate, to shift funds from a TCR Program project with an unexpended balance of allocated funds, or to redirect an existing allocation from a phase that has not yet started. Department concurrence is needed for projects on the state highway system or on State-supported intercity rail corridors prior to requesting a shift in funds from the project.
3. With the implementing agency, identify the total amount to be shifted from the TCR allocation.

2.3 BE IT FURTHER RESOLVED that this flexibility to use previously allocated, but unexpended funds from one project on another project would be accomplished by the lead applicant agency or agencies requesting Commission approval to:

- Approve an application amendment by the lead agency or agencies requesting a revision to a previously approved application(s) that reflects, as appropriate, the changes to the scope, the changes to TCR and other funding, the changes to cash flow, and the changes to the schedule of the donor project and the recipient project.
- Re-allocate the unexpended portion of the allocation to a recipient TCR project with a concurrent de-allocation from the donor project. The allocation request shall demonstrate that the recipient project conforms to the requirements of allocation as set forth in the Commission's Guidelines for TCR Program and any condition placed upon the project at the time of its approval.

2.4 BE IT FURTHER RESOLVED the Commission requests the Department, in cooperation with the Commission staff, to distribute copies of the adopted policy to lead applicant agencies, regional agencies, transit agencies and representatives of local agencies.